

AMENDED IN ASSEMBLY AUGUST 2, 2010
AMENDED IN ASSEMBLY JUNE 22, 2010
AMENDED IN SENATE JANUARY 26, 2010
AMENDED IN SENATE DECEMBER 16, 2009
AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 771

Introduced by Senator Alquist

February 27, 2009

An act to add Section 14005.27 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 771, as amended, Alquist. Medi-Cal: foster children: eligibility.

Existing law establishes the federal Medicaid Program, administered by each state, California's version of which is the Medi-Cal program. The Medi-Cal program, which is administered by the State Department of Health Care Services, provides health care services to qualified low-income recipients.

This bill would, to the extent federal financial participation is available, extend Medi-Cal eligibility, including eligibility for the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, to children who were formerly in foster care and are under 26 years of age, pursuant to prescribed provisions of federal law.

Because each county is responsible for making Medi-Cal eligibility determinations, by expanding Medi-Cal eligibility the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14005.27 is added to the Welfare and
2 Institutions Code, to read:

3 14005.27. (a) To the extent federal financial participation is
4 available, the department shall extend Medi-Cal eligibility,
5 including eligibility for the Early and Periodic Screening,
6 Diagnosis, and Treatment (EPSDT) program, to children who were
7 formerly in foster care and are under 26 years of age, pursuant to
8 the federal Patient Protection and Affordable Care Act (Public
9 Law 111-148), as amended by the federal Health Care and
10 Education Reconciliation Act of 2010 (Public Law 111-152).

11 (b) Notwithstanding Chapter 3.5 (commencing with Section
12 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
13 the department may implement this section, without taking any
14 regulatory action, by means of all-county letters or similar
15 instructions. Thereafter, the department shall adopt regulations in
16 accordance with the requirements of Chapter 3.5 (commencing
17 with Section 11340) of Part 1 of Division 3 of Title 2 of the
18 Government Code.

19 ~~(c) This section shall become operative January 1, 2014.~~

20 SEC. 2. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.